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REMARKS

Applicants have carefully reviewed the Office Action dated July 25, 2003. Applicants have amended Claim 1 to more clearly point out the present inventive concept. Reconsideration and favorable action is respectfully requested.

Claim 1 stands rejected under 35 U.S.C. §103(a) as being unpatentable over *Hudetz et al.* This rejection is respectfully traversed with respect to the amended claims. Applicants have amended Claim 1, the independent claim, to further clarify that the instructional code that is forwarded to the user node is instructional code that is operable to, when received at the user node, connect the user node to the remote location. The step of connecting is done under the control of the intermediate node and not by a user at the user node or by any action at the user node; rather, the mere operation of transmitting the instructional code to the user node results in connection to a remote location being made. The user cannot prevent this from happening or control when it happens, nor can any action at the user node prevent such connection.

Hudetz provides the ability to scan a bar code and transmit this bar code to a location to determine one or more network location addresses that are associated therewith. These are returned to the user location and then the user location can utilize this information to either connect to the indicated locations or other functions. However, the user merely uses the scanned code to retrieve from the intermediate node or the relational data base at the intermediate node the information. What the user does with it is a function of actions taken at the user node. As such, there is no control of the connection that is in any way affected by the intermediate node. As such, a manufacturer that would dispose codes at an intermediate node would have no control over whether that connection was made. Take, for example, the situation where a distributor would distribute a scanner and associated software that would require the scanning operation to go to a particular intermediate node. The reason for this is that the operator of the intermediate node and the distributor of the software would want to control not only where the user would be connected but also ensure that the user is connected. If the operator of the intermediate node were to sell an

AMENDMENT AND RESPONSE

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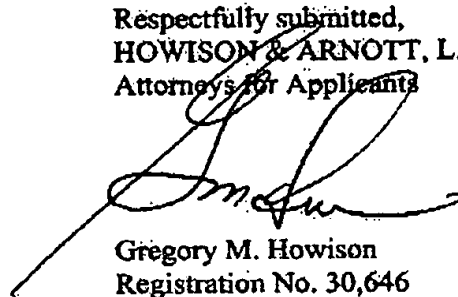
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advertiser on the fact that scanning of a code would result in the user being connected to a particular location merely by the act of scanning, then the intermediate node could guarantee that the transmission of the URL from the intermediate node to the user location would result in a connection being made. This is not the case with respect to *Hudetz*, as there is no provision for an operator of an intermediate node to have any knowledge or control of whether the connection was actually made. As such, Applicants believe that this particular aspect is missing in *Hudetz*, and is neither suggested nor described in *Hudetz*. As such, Applicants respectfully request withdrawal of 35 U.S.C. §103 rejection with respect to the amended claims.

Applicants bring to the Examiner's attention prosecution of similar claims with similar arguments in U.S. Patent Application Serial Numbers 09/382,375, 09/382,427, and 09/382,425.

Applicants have now made an earnest attempt in order to place this case in condition for allowance. For the reasons stated above, Applicants respectfully request full allowance of the claims as amended. Please charge any additional fees or deficiencies in fees or credit any overpayment to Deposit Account No. 20-0780/PHLY-24,747 of HOWISON & ARNOTT, L.L.P.

Respectfully submitted,
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